

NEW HAMPSHIRE SUPREME COURT

3JX ORAL ARGUMENT LIST

September, 2006

The cases listed are scheduled for oral argument in September, 2006. The order of the argument is subject to change by the court. **PLEASE NOTE THE CHECK-IN TIME FOR YOUR CASE.**

The moving party is responsible for presenting and transmitting any portion of the record necessary to decide the questions of law presented by the case. (See generally Supreme Court Rules 13 and 14).

3JX Procedure

The procedure for cases assigned to the 3JX docket is set forth in Supreme Court Rule 12-D. Cases assigned will be heard by a panel of three supreme court justices. Each side will receive five minutes of uninterrupted argument. Questions may be asked after the allotted time has expired. Persons presenting oral argument should assume that the justices are familiar with the facts and should proceed directly to the merits.

The panel will issue a written decision, which must be unanimous. Any case in which the justices disagree or which they believe should be the subject of a full written opinion will be referred to the full court in accordance with Rule 12-D.

N O T I C E S

IT IS A CLASS B FELONY TO CARRY A FIREARM OR OTHER DEADLY WEAPON AS DEFINED IN RSA 625:11, V IN A COURTROOM OR AREA USED BY A COURT.

ANY PERSON WHO REQUIRES AN AUXILIARY AID TO HEAR ORAL ARGUMENT SHOULD NOTIFY THE CLERK OF COURT AS FAR IN ADVANCE AS POSSIBLE SO THAT THE EQUIPMENT CAN BE AVAILABLE.

Thursday, September 7, 2006, beginning at 9:30 a.m.:

Check-in time 9:00 a.m.:

2005-0574	Norma Kolifrath Morgan L/O (Thomas N. Morgan) (5 min.)	v.	Joan Romboli and Landmark Family Healthcare, P.C. Duddy L/O (Roy A. Duddy) (5 min.)
2005-0667	Brad W. Wilder <u>Pro se</u> (5 min.)	v.	Town of Plainfield SB&W (Barry C. Schuster) (5 min.)
2005-0706	ElderTrust of Florida, Inc. O&R (William L. Chapman) (5 min.)	v.	Town of Epsom S&M (Edward C. Mosca) (5 min.)
2005-0592	Appeal of Tracy Waterman (Personnel Appeals Board) D&N (James W. Donchess) for Tracy Waterman (5 min.) Attorney General (Nancy J. Smith) for Department of Safety/State Police (5 min.)		
2005-0653	Marjan International Corp. Rinden L/O (Paul A. Rinden) (5 min.)	v.	Mohammad Enayat d/b/a Sutter and Hayes Rug Outlet DW & Assoc. (Mark L. Van De Water) (5 min.)

Continuation of morning session:

Thursday, September 7, 2006, beginning at 9:30 a.m.:

Check-in time 9:45 a.m.:

2005-0689 In the Matter of Angela C. McAfee and Benjamin J. Masterson
L&B (Michael P. Bentley) for Angela C. McAfee (5 min.)
Jaymi D. Masterson for Benjamin J. Masterson (5 min.)
GAL Kathleen N. O'Donnell

2005-0865	James M. Greelish John F. Lake (5 min.)	v.	Diane Wood WW&A (Donald F. Whittum) (5 min.)
-----------	---	----	---

2005-0701 Appeal of Ronald Barrett
 (Compensation Appeals Board)
 G&M (Jared O'Connor) for Ronald Barrett (5 min.)
 DM&B (Erik G. Falkenham) for Southern New Hampshire University (5
 min.)
 Attorney General

2005-0712 In the Matter of Cynthia Vocell-Henderson and James J. Vocell
S&G (Laurie B. Rilee) for Cynthia J. Vocell-Henderson (5 min.)
Macoul L/O (John A. Macoul) for James Vocell (5 min.)

2005-0825	Deirdre O'Leary MM&L (Steven M. Latic)	v.	Michael E. Chubrich, Trustee of the Deirdre O. Christo Trust C&H (Michael E. Chubrich)
	(5 min.)		(5 min.)

Check-in time 9:00 a.m.:

Confidential

DUGGAN AND GALWAY, JJ., DISQUALIFIED

2005-0588	Tide Mill Road, LLC DT&C (Robert M. Derosier) (5 min.)	v.	Town of Hampton Town Attorney (Mark S. Gearreald) (5 min.)
-----------	---	----	---

2005-0713 In the Matter of Pamela Domigan and John Wall
S&S (William R. Sullivan, Jr.) for Pamela Domigan (5 min.)
G&B (Kevin H. O'Neill) for John Wall (5 min.)

2005-0903	Craig Hartley M&D (Richard C. Moquin) (5 min.)	v.	Electric Insurance Company U&H (Russell Hilliard) (5 min.)
-----------	---	----	---

2005-0764	Tracy Middleton, Trustee & a. CRM&L (Kenneth D. Murphy) (5 min.)	v.	Town of Greenland Peter J. Loughlin Intervenor Robert Moreau MT&G (Francis X. Bruton) (5 min.)
-----------	---	----	---

Continuation of morning session:

Thursday, September 21, 2006, beginning at 9:30 a.m.:

Check-in time 9:45 a.m.:

2005-0524	James A. Davala & a. DL&G (Charles G. Douglas, III) (5 min.)	v.	Town of Merrimack and its Board of Selectmen DM&B (David P. Eby) (5 min.)
-----------	---	----	---

HICKS, J., DISQUALIFIED

2005-0723	Ronald Stafford and Margaret Stafford MM&L (Edgar D. McKean, III) (5 min.)	v.	Lucille A. Shea, Trustee M&O (Jeffrey B. Osburn) (5 min.)
-----------	--	----	--

HICKS, J., DISQUALIFIED

2005-0760	Patrick F. Bigg and Susan P. Bigg W&N (Peter E. Hutchins) (5 min.)	v.	Loon Mountain Recreation Corporation and Booth Creek Ski Holdings, Inc. DM&B (Thomas B. Quarles, Jr.) (5 min.)
-----------	--	----	---

HICKS, J., DISQUALIFIED

2005-0897	Thomas A. Methvin W&N (Peter E. Hutchins) (5 min.)	v.	Gunstock Area Commission and County of Belknap DM&B (Thomas B. Quarles, Jr.) (5 min.)
-----------	---	----	---

HICKS, J., DISQUALIFIED

To be submitted on briefs, without oral argument:

2005-0641	Sean Croft Appellate Defender (Theodore M. Lothstein)	v.	Commissioner, New Hampshire Department of Corrections Attorney General (Stephen D. Fuller)
-----------	---	----	---

DUGGAN, J., DISQUALIFIED

July 27, 2006

Attest: _____
Eileen Fox, Clerk